C. J.' Court

Civil Writ Petition No. 1043(S/B) of 2002

Mahipal Singh …… Petitioner

V/s

District Magistrate, Haridwar
And one another ….. Respondents

Hon. A.A. Desai, C.J.
Hon. Irshad Hussain, J.

Heard Sri S. Dhulia, learned counsel for the petitioner and the learned C.S.C.

The petitioner was working at Haridwar for more than 15 years . He has been transferred to the nearby township of Roorkee. He has challenged his transfer, mainly on the ground that the transfer of the petitioner is prohibited by the Election Commission since he was actually engaged in the election duty of preparing the electoral rolls.

Heard Sri Dhulia, learned counsel for the petitioner at length. He could not point out that actually the petitioner was assigned any duty of preparation of electoral rolls. On the contrary, it is emphatically stated by the learned C.S.C. that the petitioner has not been asked to perform any election duty. As such the petition is not entitled to take shelter of any instruction or directions issued by the Election Commission.

We, therefore, dismiss the petition.

(A.A. Desai, C.J.) (Irshad Hussain)

Dt. 27.08.2002
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